

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

QADRIYYAH SABREEN EL'AMIN BNT §
ABDULLAH BEY, §
Plaintiff, §
v. §
JOHN DUE, *et al.*, §
Defendants. §

Case No. 6:19-CV-00239-JDK-JDL

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Plaintiff, Qadriyyah Sabreen El'Amin Bnt Abdullah Bey, proceeding *pro se* and *in forma pauperis*, initiated this action against Defendants Due's Wrecker Service, John Due, and Matt Johnson. In this action, Plaintiff alleges violations of her Fourteenth Amendment and Fourth Amendment rights arising out of a traffic stop that occurred on March 25, 2019, near Wells, Texas. Docket No. 23. Plaintiff also asserts state law tort claims for intentional infliction of emotional distress, false imprisonment, and trespass to property. *Id.*

The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. On March 30, 2020, Judge Love issued a Report and Recommendation (Docket No. 71, the “Report”), recommending that all claims against the Defendants be dismissed with prejudice. The Magistrate Judge further recommended that Plaintiff’s motion for summary judgment (Docket No. 63) be denied. Plaintiff filed objections to the Report. Docket No. 76.

The Court reviews the objected-to portions of a Report and Recommendation de novo. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d

1415, 1430 (5th Cir. 1996) (en banc), *superseded on other grounds by statute*, 28 U.S.C § 636(b)(1) (extending the time to file objections from ten to fourteen days). The Court reviews all unobjected-to portions of the Report and Recommendation only for clear error or abuse of discretion. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed Plaintiff's objections de novo, the Court concludes that they are without merit and that the findings and conclusions of the Magistrate Judge are correct. Accordingly, it is **ORDERED** that Plaintiff's objections are **OVERRULED** and that the Magistrate Judge's Report (Docket No. 71) is **ADOPTED** as the opinion of this Court. Plaintiff's claims against the Defendants are **DISMISSED WITH PREJUDICE**. Plaintiff's motion for summary judgment is **DENIED**. Docket No. 63. All other pending motions are **DENIED AS MOOT**.

So **ORDERED** and **SIGNED** this **5th** day of **June, 2020**.



JEREMY D. KERNODEE
UNITED STATES DISTRICT JUDGE